



TOWN OF HUDSON

Planning Board



Vincent Russo, Chairman

Rick Maddox, Selectmen Liaison

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HUDSON PLANNING BOARD MEETING MINUTES June 6, 2012

I. CALL TO ORDER

Chairman Russo called this Planning Board meeting to order at 7:07 p.m. on Wednesday, June 6, 2012, in the Community Development's Paul Buxton meeting room in the Hudson Town Hall basement.

II. PLEDGE OF ALLEGIANCE

Chairman Russo asked Selectman Maddox to lead the assembly in pledging allegiance to the Flag of the United States of America.

III. ROLL CALL

Chairman Russo asked Secretary van der Veen to call the roll. Those persons present, along with various applicants, representatives, and interested citizens, were as follows:

Members

Present: James Barnes, Glenn Della-Monica, George Hall, Tim Malley, Vincent Russo, Ed van der Veen, and Richard Maddox (Selectmen's Representative).

Members

Absent: None. (All present.)

Alternates

Present: Irene Merrill, Nancy Brucker (Selectmen's Representative Alternate), and Jordan Ulery (arrived at 7:09 p.m.).

Alternates

Absent: Marilyn McGrath (excused)

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Staff

Present: Town Planner John Cashell.

Recorder: J. Bradford Seabury.

IV. SEATING OF ALTERNATES AND ANNOUNCEMENTS

Chairman Russo noted that all regular members were present and that no alternates needed to be seated at this time.

V. MINUTES OF PREVIOUS MEETING(S)

Chairman Russo said there were no minutes of past meetings waiting for review at this time.

VI. CORRESPONDENCE

No items of correspondence received in tonight's handouts were addressed at this time, in accordance with the Board's practice of taking up such items in conjunction with the associated cases, with any remaining items being taken up under **Other Business** at the end of the meeting.

VII. PERFORMANCE SURETIES

No **Performance Sureties** items were addressed this evening.

VIII. OLD BUSINESS/PUBLIC HEARINGS

No **Old Business/Public Hearings** items were addressed this evening.

IX. NEW BUSINESS/PUBLIC HEARINGS

No **New Business** items were addressed this evening.

X. WORKSHOP

A. Review the Capital Improvements Program (CIP). (Deferred Date Specific from the 03-14-12 Planning Board Meeting).

Chairman Russo read aloud the published notice, as repeated above.

Town Planner Cashell reviewed details of the documentation he had provided.

Selectman Maddox asked about the train station; Town Planner Cashell said he heard more about that project than any other, noting there were also projects, such as the senior center, the kiddie park, the 9/11 memorial, which had a life of their own and had never made it to the CIP. He said good ideas that resulted in good projects usually did get bumped to the top of the list.

Mr. Barnes asked why the interior design was listed for 2012 but the relocation was to be in 2013. Mr. Della-Monica suggested this estimated cost was for the design, not the work.

Selectman Maddox noted that FY'13 was estimated for \$36,000,000, saying it would be a busy year. Town Planner Cashell said the CIP Committee could get serious about those projects if there were a CIP done next year.

Town Planner Cashell suggested that the Planning Board should not get into the ranking of the projects, but doing an update would provide material to draw upon.

Mr. Cashell referenced the #1 attachment, noting a few errors, including extra digits in some of the dates. He noted that the traffic signal had been struck from the Pelham Road program and that the project had been completed by the Town for \$48,000 rather than \$400,000. He said a lot of these projects would be moved out to FY'14, but he noted that money was tight and some might not get funded. He then expressed a belief that #6 probably would be implemented this year.

Mr. Ulery asked what the status of the County Road bridge was and what it would take to complete it. Selectman Maddox said that project had been backed off a bit, as it was swapped with the State for something else. He said there would be a bridge, not a dam, if the NH-DOT concurred. He explained that putting in a dam would cause flooding for three or four houses behind the dam.

Mr. Ulery asked about the traffic lights. Selectman Maddox said they would be placed around Library Park, saying they were funded from a CMAC grant and the project had been ongoing since 2008. He provided details of the plan, saying they hoped to put all of the light controls in a single enclosure, as well as making a dedicated left-turn lane in front of Showtime Computer business while having two dedicated lanes leading to Nashua, which should help the back-up problem with the morning commuter traffic. Mr. Ulery spoke in favor, saying it also would have the additional benefit of forcing traffic on Library Street to use the right-hand lane to turn right up Highland Street.

Town Planner Cashell then discussed the #2 document, changing its title to ***Capital Improvement Program – Six-Year Funding Plan, FY'2012, Updated Through 2012.*** He noted some details that had to be corrected, much of which had been discussed with the previous document. He noted that all of the out-year projects that had not been ranked were listed beneath the shaded bar. He said the three bracketed sums of money included in the FY'11 column were the sums involved with the CIP Committee before the CIP was done, but those projects had moved forward, with the numbers being a lot less than had been predicted.

He noted that three major projects (the senior center, Benson Park, and the 9/11 Memorial) were not on the list. Mr. Barnes, a member of the Benson Park committee,

noted that update and renovation of grounds for Benson Park had not been mentioned, saying the Park Committee had not spent anywhere near the designated amount, as much of the work was done by volunteers.

Mr. Della-Monica asked how much money had been spent on the train depot to date. Town Planner Cashell said that particular project would make a great case study, saying the funds had become much more than had been predicted. Selectman Maddox characterized it as a quintessential boondoggle, noting that it was being done through federal tax dollars, which meant that there were all sorts of requirements tied to it—but the Town was so far into it now that it could not back out. He noted that this did not cover the interior renovation. Town Planner Cashell said the Town could probably get the project done within the next six months if given the go-ahead to do it on its own. Selectman Maddox said he was hearing that it was not going to happen this year, either.

Mr. Della-Monica asked where the money for the water transmission line would come from. Selectman Maddox said it would probably be a bond, but it would be paid back by the ratepayers. Town Planner Cashell said the Board of Selectmen were making sure that the least amount of impact on the taxpayers would occur—adding that the Town, if anything, had underfunded the project.

Selectman Maddox referenced the Gordon Street water tank, as an example, saying the Town might be able to take it off line if some other things were done, such as having a booster elsewhere. He noted that, because it was a steel tank, the existing tank would cost the Town \$400,000 to repaint the exterior and interior.

Mr. van der Veen asked what the new tank for Barretts Hill Road would be; Selectman Maddox said it would be concrete. Town Planner Cashell concurred, saying concrete was now state-of-the-art for such systems.

Town Planner Cashell said a lot of the parking lot at Benson Park had been completed, adding that the trail development and enhancement were not completed, but the trails were already being used by citizens on a daily basis. He said the GIS topo had been completed, and the Route 102 improvement from Hudson Mall to Elm Avenue had been completed.

Ms. Merrill asked if the Town were keeping track of the true value of costs in Benson Park, noting that DPW employees were involved. Selectman Maddox said help in the Highway Department was allocated to Benson Park, but it was on a rotating basis and that it would be difficult to get a completely accurate breakdown. He pointed out that the Town also did not track how much money was being put into Merrill Park or the Town Forest. He said the expense of Benson Park was not as much as appeared, because 85% to 90% of the work being done at Benson Park was by volunteers. Mr. Barnes concurred, describing some of the work that had been done by volunteers over the past few years, including ground renovation, clearing of undergrowth, and layout of the walking trails. Selectman Maddox noted that there was money in the Town budget as a line item for Benson Park.

Town Planner Cashell referenced the third attachment, involved the capital improvement plan's tax rate impact, noting that no amendment language was included. He said the table did have to be amended, however, contrary to what he had said in the staff report, noting that the Pelham Road/Lowell Road traffic signal project had been completed for \$48,000, as previously noted. He noted that the tax impact was zero for all of the projects, which had been planned to be paid for by bonds, grants, or the revenue accounts. Mr. Ulery objected that a bond does have a tax impact. Selectman Maddox said there might be a slight tax impact, but it was basically picked up by sewer and water users. Town Planner Cashell said the Budget Committee and the Board of Selectmen would implement these projects when funds were available, saying it was part of the long-term improvement for the Town.

Town Planner Cashell referenced the fourth attachment, the *Capital Improvement Program Debt Schedule*, saying the tables had already been corrected by Kathy Carpentier, the Finance Director. He noted that much more detail was available than had been the case with the original (the third page). He said the available tax rate for capital projects in the Town was 95% below what the Town could use for that funding. Mr. Barnes noted that it all had to go through the process, being recommended by the CIP Committee but ultimately decided by the Town's voters.

Mr. Della-Monica asked about the numbers below the "per \$1,000" entry. Town Planner Cashell said the \$0.05 pertained to FY'12.

Mr. Ulery said the 95 cents was not money that was being spent, but money that was not being spent.

Town Planner Cashell referenced the #5 attachment, noting that the rightmost column gave the latest computations for the listed items (corridor accounts, impact fees accounts, and others). Mr. Della-Monica asked what the remaining Library Impact fees could be used for. Town Planner Cashell said the Library Department could apply for that money, which would have to be reviewed by Town Counsel. Mr. Della-Monica asked if there were a date cap. Town Planner Cashell said that had not come up, as yet. Selectman Maddox noted that the Library Trustees had a plan to expand the library, saying the Planning Board should see if that was still planned—adding that this \$14,035 might be used for a new study for the impact fees for that addition.

Town Planner Cashell referenced the sixth attachment, saying this document provided a description in written format for all the projects, most of which had not yet been started. He noted a typographical error, saying this material had been prepared hastily and was not etched in stone.

Selectman Maddox said #10 was dead, not tabled.

Mr. Barnes noted that much of this had come out of the FY'10 CIP but contained the status of projects in the previous CIP, adding that many of these projects had never been ranked at all in 2010 because they were supposed to have been completed in the previous year.

Town Planner Cashell said he wanted to continue updating this data, saying the Planning Board had until the end of August to work on this. He said he intended to

make it as accurate as possible over the next two months and would make another presentation at the July or August workshop meetings.

Selectman Maddox noted that this was a necessary evil, as the Town needed the impact fees in order to get any of the projects done.

Mr. Della-Monica commented that having it organized in several small packages using large fonts was greatly appreciated.

Town Planner Cashell noted that the Budget Committee and the Board of Selectmen would be able to draw on this material, saying the Town might not need to do a new CIP if the updates could be kept up, keeping track of all of the projects. He said these were all important projects that the Town would have to implement sooner or later. Selectman Maddox noted that some projects had been pushed ahead because developers were willing to pay for booster stations, water pipe, etc. Town Planner Cashell said he had talked to Town Engineer Webster about the various projects that were not included in this overall record.

Mr. Ulery noted there were several school projects, saying he would like to know how fast that fund was growing. He then asked why the projects were here, under the Town, instead of under the School Department. Selectman Maddox said whoever wrote up the projects had not differentiated them.

Town Planner Cashell suggested deferring further action to the August 1st workshop.

Selectman Maddox so moved; Mr. Barnes seconded the motion.

VOTE: No further comment being brought forward, Chairman Russo called for a verbal vote on the motion. All members voted in favor, and Chairman Russo declared the motion to have carried unanimously (7-0).

B. Review Proposed Amendment to §278-8.B. (14) Exterior Lighting – of the Planning Board’s Site Plan Review Regulation. (Deferred Date Specific from the 05-02-12 Workshop).

Chairman Russo read aloud the published notice, as repeated above.

Town Planner Cashell said there was no such thing as HTC §278, saying he had found that error this evening, along with some others. . He said the language in Section 275-6 already existed, so it did not need to be amended.

Noting a struckout section of text, he referenced the amended staff report included in the correspondence packet, noting that it included in much shorter language what the Planning Board had wanted amended, which really was to amend 275-8.B(14).

Selectman Maddox suggested the drawing should be cleaned up for a more professional diagram, with actual numbers. Chairman Russo expressed agreement, saying he would like to see maximum values as well as minimum. Mr. Hall said it

basically said the light intensity would be zero at the property line; Chairman Russo said he agreed with that.

Mr. Della-Monica suggested taking a section out of an already approved site plan and describing it as a typical representation. He noted that overlapping might be allowed for two adjoining businesses.

Town Planner Cashell asked to defer further discussion on this item to the August 1st workshop meeting. Selectman Maddox so moved; Mr. Barnes seconded the motion.

VOTE: No further comment being brought forward, Chairman Russo called for a verbal vote on the motion. All members voted in favor, and Chairman Russo declared the motion to have carried unanimously (7-0).

C. Driveway Regulations relative to allowed slopes. (Deferred from the 05-02-12 Workshop).

Chairman Russo read aloud the published notice, as repeated above.

Town Planner Cashell noted that he had corresponded with Town Counsel on this, noting that there was pending legislation. Mr. Ulery said he did not know the status of that bill. Town Planner Cashell said Atty. Buckley had wanted the Planning Board not to do anything with this in a final manner until that legislation was completed. Mr. Ulery said the bill had initially been designed to prevent someone (an assessor or anyone) from coming onto a property and saying something was wrong without the property owner knowing what was going on. He said it had taken a long time to get where it was and he was not sure what the current wording was.

D. Review Existing Driveway Application. (Deferred from the 05-02-12 Workshop).

Chairman Russo read aloud the published notice, as repeated above.

Town Planner Cashell said he had progressed with the changes that did not have anything to do with the particular issue noted in the preceding discussion. He noted he had changed "lot locations" to read "street address" and in the fifth line he had deleted the words "to exceed 10%" while the words "right-of-way line" were added, so those changes were ready when the Board got the go-ahead from Town Counsel. He said both Fire Chief Shawn Murray and Deputy Fire Chief Robert Buxton had said they were happy to be on the form as signatories—adding that the Fire Department was currently reviewing the length-of-driveway and turnaround-area figures.

Mr. Della-Monica referenced the first-page diagram, saying the "ROW" in parentheses could be eliminated, because it was defined below. He then noted that a curb cut was usually a little bit larger than a driveway and the applicant needed to know where to measure it. Chairman Russo suggested the Board just wanted the applicant

to say what it would be. Mr. Della-Monica suggested it could say "Typical." Mr. Ulery questioned why he should care how wide the driveway was to be, saying he would not care if his neighbor had his driveway 100 feet wide and painted green. Chairman Russo said that could be a problem, saying there could be problems in accessing the street and traffic, and he expressed a belief that the dimension was there for a reason. Selectman Maddox added that there might be runoff issues; Chairman Russo expressed agreement.

Chairman Russo then suggested to Town Planner Cashell that the text on the drawing should say "at a 3.5-foot elevation above driveway grade."

Mr. Malley said he read the definition as saying the driveway was in the right-of-way. He questioned where the limit stopped. Mr. Barnes said that, if the Board was looking for figures from the Fire Department well within the property, then the definition should include that.

Selectman Maddox said the Planning Board had approved some subdivisions in which the driveway was 300 feet long, so the Board had required the developer to put in a turnaround; he then suggested the Board would need to know what the length was if a turnaround were needed. He then questioned where pavement could end and dirt continue. Chairman Russo suggested getting Town Engineer Webster in to discuss this. Town Planner Cashell suggested the Board might also want to talk to Atty. Buckley, questioning if the Board could tell people what they had to do beyond the entrance to the driveway. Mr. Ulery noted that this had been part of the discussion in Concord this session, as the Fire Code had been found to be pretty invasive, dictating how a house could be built, what would be in the house, etc.

Mr. Malley asked if the law said they had to get fire trucks up the driveway. Mr. Ulery said that also had been a part of the discussion in Concord this year, saying the language controlling driveway placement had gotten pretty invasive. He said "apron" and the rest of the driveway should be defined, and he suggested that the Board defer to Atty. Buckley in August, thinking the Governor should have decided whether to veto it—adding that he was hopeful of having a veto override by the end of June.

Selectman Maddox moved to defer further action on this matter to the August 1st workshop. Mr. Barnes seconded the motion.

VOTE: No further comment being brought forward, Chairman Russo called for a verbal vote on the motion. All members voted in favor, and Chairman Russo declared the motion to have carried unanimously (7-0).

XI OTHER BUSINESS

Chairman Russo announced that there would be no workshop meeting on July 4th.

XII. ADJOURNMENT

All scheduled items having been addressed, Mr. Malley moved to adjourn; Mr. van der Veen seconded the motion.

VOTE: Chairman Russo called for a verbal vote on the motion. All members voted in favor.

Chairman Russo then declared the meeting to be adjourned at 8:39 p.m.

Date: December 14, 2013

Vincent Russo, Chairman

J. Bradford Seabury, Recorder

Edward van der Veen, Secretary

These minutes were accepted as amended following review at the 01-22-14 Planning Board meeting.

The following changes were made to the draft copy in accordance with review comments at the Planning Board meeting of 01-22-14:

Page 3, 6th paragraph, 4th line — Corrected misspelling of word “dam” in two places.

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**HUDSON PLANNING BOARD Meeting Minutes
June 6, 2012**

Page 10

Page 7, Item C, 2nd paragraph, 2nd line — Corrected misspelling of word “pending.”

Page 7, last paragraph, 3rd line — Added begin-quotes mark ahead of word “lot.”

Page 8, 2nd paragraph — Changed last two sentences from “Mr. Ulery questioned why he should care how wide the driveway was to be. Chairman Russo suggested changing the text to read 3.5 feet at an elevation above driveway grade.” To read as follows:

“Mr. Ulery questioned why he should care how wide the driveway was to be, saying he would not care if his neighbor had his driveway 100 feet wide and painted green. Chairman Russo said that could be a problem, saying there could be problems in accessing the street and traffic, and he expressed a belief that the dimension was there for a reason. Selectman Maddox added that there might be runoff issues; Chairman Russo expressed agreement.

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